
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Novartis Pharmaceuticals Corporation)	FileNo.EB-FIELDNER-12-00004673
Licensee of Stations WNJL986, WPEC760,)	
WPSG671, WQOT603, and WQOT604)	NOV No. V201332380001
East Hanover, New Jersey)	
)	

NOTICE OF VIOLATION

Released: October 4, 2012

By the Acting District Director, New York Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Novartis Pharmaceuticals Corporation (Novartis), licensee of Private Land Mobile Stations WNJL986, WPEC760, WPSG671, WQOT603, and WQOT604 in East Hanover, New Jersey. Pursuant to Section 1.89(a) of the Rules, issuance of this NOV does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation noted herein.²

2. On September 20, 2012, agents from the Enforcement Bureau's New York Office observed the following violation:

47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission...."
Agents found that Novartis was operating on the frequency 462.4982 MHz.
Novartis's licenses for Stations WNJL986, WPEC760, WPSG671, WQOT603, and WQOT604 do not authorize operation on 462.4982 MHz,³

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁴ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Novartis must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s).

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ Novartis is authorized to operate on 462.3500 MHz, 467.3500 MHz, 462.2250 MHz, 467.2250 MHz, 462.4500 MHz, 462.5250 MHz, 467.5250 MHz, 467.4500, 153.1850 MHz, 463.3250 MHz, 463.5250 MHz, 468.3250 MHz, 468.5250 MHz, and 463.5250 MHz.

⁴ 47 U.S.C. § 308(b).

Federal Communications Commission

The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁵

4. In accordance with Section 1.16 of the Rules, we direct Novartis Pharmaceuticals Corporation to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Novartis Pharmaceuticals Corporation with personal knowledge of the representations provided in Novartis Pharmaceuticals Corporation response, verifying the truth and accuracy of the information therein,⁶ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁷

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
New York Office
201 Varick Street, Suite 1151
New York, New York 10014

6. This Notice shall be sent to Novartis Pharmaceuticals Corporation at its address of record.

7. The Privacy Act of 1974⁸ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Gary Barker
Acting District Director
New York Office

⁵ 47 C.F.R. § 1.89(c).

⁶ Section 1.16 of the Commission's Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁷ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

Federal Communications Commission

Northeast Region
Enforcement Bureau